

significant bi-directional strength, such as high strength cellulosic layers, woven plastic fibers, cross-laminated plastic films and non-woven or spun bonded plastic fabrics are attached to the face of a wall sheeting material, such as foam sheets or cellulosic boards, to create a suspension system that supports the panel and improves the performance of the entire wall system under extreme vertical wind load conditions which are typically found in coastal regions. The inventive material of the present invention is capable of meeting current building code requirements, has a lighter weight, is less expensive and has better insulation properties than the materials conventionally used. It is respectfully submitted that the currently claimed invention is clearly patentably distinguishable over the prior art cited by the Examiner.

The Wiegand et al reference discloses a reinforced low density thermoplastic foam sheet laminate comprising an outer laminae of a low density thermoplastic foam, a thermoplastic film and a central layer comprising a reinforcing net or net-like structure provided between the thermoplastic foam and the thermoplastic film. Applicants wish to point out that the net 14 of Wiegand is not a polymer fabric, a biaxially oriented polymeric film or a fiberglass reinforced material as required by the present claims. As stated in the last paragraph in Column 1 and the top paragraph in Column 2 of this reference, the thermoplastic nets used in this reference have strands which are intricately extruded at the joints and are preferably formed by extruding a plurality of parallel longitudinal strands and a plurality of parallel transverse strands. Since the polymeric nets of Wiegand are excluded from the reinforcing layer of the present invention, it is respectfully submitted that Claim 1 clearly is not anticipated by Wiegand and the rejection of Claim 1 under 35 USC 102 is clearly in error.

The Hartman reference discloses an insulative panel comprising a rigid foam layer 12 of a synthetic organic polymeric foam, a protective weathering layer 14 of a thermoplastic sheet material and a generally flexible backer layer 16 of a

stereoreticulate material interposed between the foam and weathering layers. Hartman discloses that the backer layer 16 may be a woven or non-woven fibrous material with the fibers being of a reinforcing nature such as asbestos, fiberglass or aluminum. Like the previously discussed reference, the backer layer 16 is outside of the scope of the present claims. The currently presented claims allow for a fiberglass-reinforced material to be bonded to the first layer. In Hartman, the backer layer is entirely made of the reinforcing material. Hartman shows no equivalence between a layer formed entirely from a reinforcing material and a layer containing a reinforcing material. As such, Hartman differs from the claimed invention in more ways than just its lack of a teaching of a cellulosic layer.

The Wiegand reference was discussed above and Applicants merely reiterate that the polyethylene net of Wiegand does not qualify as a woven or non-woven polymeric layer or a layer containing a reinforcing material as required by the present claims.

The Cyr et al reference discloses a plastic laminate for use as a graphic arts board comprising two solid ABS resin sheets and a foam resin core containing polystyrene or a blend of polystyrene and ABS resin. There is absolutely no teaching contained in Cyr et al that would motivate one of ordinary skill in the art to substitute the polystyrene foam disclosed there into either of the previously discussed references as they are all directed to different utilities. Applicants respectfully submit that it is only hindsight provided by the present disclosure which is motivating the Examiner to select bits and pieces from the individual references and combine them to make the rejections put forth here. It is also noted that none of the references cited by the Examiner speak to the provision of a third cellulosic layer.

The references cited by the Examiner do not even present a showing of prima facie obviousness under 35 USC 103. Moreover, as shown by the example presented on pages 6-8 of the present specification, the wall laminate structure of the present

invention has unexpectedly high properties with respect to meeting governmental wind load wall diaphragm requirements. This is clearly unexpected in light of the disclosures of the references cited by the Examiner and establishes the patentability of the presently claimed invention thereover.

The Examiner is respectfully requested to reconsider the present application and to pass it to issue.

Respectfully submitted,


Terryence F. Chapman

TFC/smd

FLYNN, THIEL, BOUTELL
& TANIS, P.C.
2026 Rambling Road
Kalamazoo, MI 49008-1699
Phone: (616) 381-1156
Fax : (616) 381-5465

Dale H. Thiel	Reg.No. 24 323
David G. Boutell	Reg.No. 25 072
Ronald J. Tanis	Reg.No. 22 724
Terryence F. Chapman	Reg.No. 32 549
Mark L. Maki	Reg.No. 36 589
David S. Goldenberg	Reg.No. 31 257
Sidney B. Williams, Jr.	Reg.No. 24 949
Timothy B. Clise	Reg.No. 40 957
Liane L. Churney	Reg.No. 40 694
Brian R. Tumm	Reg.No. 36 328

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